

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEAN CARLOS RAMOS-PIÑEIRO (01);
EDWIN BERNARD ASTACIO-ESPINO (02);
LUIS D. RIVERA-CARRASQUILLO (03);
RAMON LANZA-VAZQUEZ (18),

Defendants.

Criminal No. 12-200 (JAF)

ORDER

With respect to our ruling at Docket No. 1248, in relation to Docket No. 1239, the court expands as follows:

When we said that we would respect Judge Smith's ruling on suppression, we were not extending the ruling to parties without standing. Judge Smith's ruling was a well thought-out one, where not only Judge Smith, but the undersigned as well, considered the elements of judgment that led to that ruling. True that there is a renewed motion to suppress. In that respect, we have said that Judge Smith's ruling will be respected in its context.

Bernard filed a motion to suppress at the eleventh hour, and we have stated that we will decide the same in the context of trial, not in limine. Jury selection starts in a few minutes. Trial starts today. If at some point in time Bernard establishes an expectation of privacy outside the presence of the jury, he wins. If not, he loses. We clearly understand the issue.

IT IS SO ORDERED.

San Juan, Puerto Rico, this 25th day of October, 2013.

s/José Antonio Fusté
JOSE ANTONIO FUSTE
United States District Judge